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AUG 19 2005

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

To Commissioner For Patents

Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.

| | |
|-------------------------------|---------------|
| <i>Application Number</i> | 10/089,959 |
| <i>Filing Date</i> | April 4, 2002 |
| <i>First Named Inventor</i> | Walke |
| <i>Group Art Unit</i> | 2683 |
| <i>Examiner Name</i> | Congvan Tran |
| <i>Attorney Docket Number</i> | DE000238 |

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 12, 2005
(Any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____

b. Enclosed

- | | |
|----------------------------------------------------------------------|----------------------------------------------|
| i. <input type="checkbox"/> Amendment/Reply | 08/23/2005 KBETEMA1 00000041 141270 10089959 |
| ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) | 01 FC:1801 790.00 DA |
| iii. <input type="checkbox"/> Information Disclosure Statement (IDS) | |
| iv. <input type="checkbox"/> Other _____ | (may not be a brief) |

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2. Miscellaneous

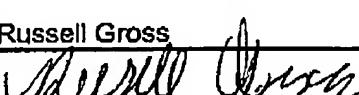
a. Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(i))

b. Other _____

3. Fees

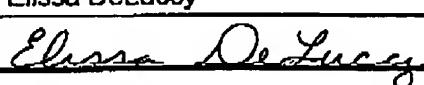
a. The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|-------------------------------------------------------------------------------------|-----------------------------------|---------|
| Name (Print Type) | Russell Gross | Registration No. (Attorney/Agent) | 40,007 |
| Signature |  | Date | 8/19/05 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office tel# : 571-273-8300 on the date below:

| | |
|-------------------|-------------------------------------------------------------------------------------|
| Name (Print Type) | Elissa DeLucy |
| Signature |  |
| | Date Aug. 19, 2005 |